THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.15944 OF 2003

DATED: 06-07-2007

BETWEEN

Ganta Sudhakar, S/o. Relli,
Tribal, R/o. Pallamlavidi
Village, Kurupam Mandal,
Visakhapatnam District
and another.

...PETITIONERS

AND

The Mandal Revenue Officer,
Kurupam Mandal,
Visakhapatnam District
and others.

...RESPONDENTS

ORDER:

Petitioners submit that they belong to "Pydi" caste, which is a group of within PORJAS, which is a Schedule Tribe. The first petitioner studied M.A. and he requires caste certificate for considering his case under reserved category for securing a suitable job and accordingly he has filed an application dated 07.05.2002 before the Mandal Revenue Officer, Kurupam Mandal. The second petitioner after passing intermediate applied for caste certificate before the Mandal Revenue Officer, Gummalaxmipuram Mandal on 09.05.2002. They submit that though both the Mandals are in Vizianagaram District, the Mandal Revenue Officers have not considered and disposed the said applications.

2. Petitioners further submit that "Pydi" community is a group within

PORJAS, which is a schedule tribe as per the Constitution of (Schedule Tribe Order, 1950) issued under Article 366 clause 25 of the Constitution of India dealing with the definition of Schedule Tribe, which means such tribe or tribal communities or parts or groups within such tribes or tribal communities as are deemed under Article 342 to be Schedule Tribes for the purpose of Constitution. They further submit that "Pydi" community has been included at Sl.No.35 as a group of PORJAS as per the Presidential Order of 1950 and has not been excluded by subsequent Act of Parliament; therefore, "Pydi" community comes within the group of PORJAS, which is a schedule tribe. However, their grievance is that their applications have not been considered.

3. Learned Government Pleader for the respondents submits that the records pertaining to the year 2002 are not available with the respective Mandal Revenue Officers and if now the petitioners file fresh applications the same will be considered and disposed in accordance with law.

4. Having regard to the facts and circumstances and without expressing any opinion on the merits of the case, the petitioners are permitted to file fresh applications along with relevant material and records showing they belong to "Pydi" community, which is said to be a schedule tribe and on such applications being filed, the respective Mandal Revenue Officers of Kurupam and Gummalaxmipuram Mandals of Vizianagaram District, are directed to consider and dispose the same in accordance with law as expeditiously as possible within a period of six weeks from the date of receipt of the said applications from the petitioners.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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V. ESWARAIAH, J

July 6, 2007
Note: Furnish C.C. of the order by 09.07.2007
(**B**/**o**)
DSK